



SEP 10 2004

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/731,411	12/08/2003	Paul A. Cox	045007 307218

CONFIRMATION NO. 3942

## FORMALITIES LETTER



\*OC000000012118175\*

Pillsbury Winthrop LLP  
 Intellectual Property Group  
 Suite 200  
 11682 El Camino Real.  
 San Diego, CA 92130-2092

Date Mailed: 03/17/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

09/13/2004 HAL111 00000046 502212 10731411

FILED UNDER 37 CFR 1.53(b)

01 FC:2001 385.00 DA  
 02 FC:2051 65.00 DA  
 03 FC:2201 129.00 DA  
 04 FC:2202 504.00 DA

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$633 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1083** for a Small Entity

- \$385 Statutory basic filing fee.
- \$65 Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is **\$633**

- **\$129** for **3** independent claims over 3.
- **\$504** for **56** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



## Certificate of Mailing Under 37 C.F.R. §1.8

I hereby certify that the enclosed correspondence along with any paper referred to as being attached is being Mailed to Addressee by service of the United States Postal Service addressed to Commissioner for Patents, P.O. Box, 1450, Alexandria, VA 22313-1450

By: Sachiko Y. Snedden  
Sachiko Y. Snedden

Date: September 7, 2004

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## FILING COMPLETION UNDER RULE 53(f)

( NOT PCT Applications)

For Design, Provisional, or Utility Applications

PATENT  
APPLICATION

**COMPLETION Under**  
Rule 53(f)

In re PATENT APPLICATION of

Attn: Application Division

Inventor(s): Cox et al.

Appln. No.: <u>10</u>	<u>731,411</u>	Atty.Dkt. <u>045007-0307218</u>
Series Code $\uparrow$	Serial No. $\uparrow$	C-M Client Ref

Filed: December 8, 2003

Title: NEUROTOXIC AMINO ACID OR NEUROTOXIC DERIVATIVE THEREOF ASSOCIATED WITH  
NEUROLOGICAL DISORDERS

Mail Stop Missing Parts  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Date: September 7, 2004

Sir:

The following completes the filing under Rule 53(f) of the above-identified patent application:

1. **Notice to File Missing Parts** ☒ copy attached ☐ not yet received
2. ☒ Signed Declaration attached. ☐ Original ☒ Facsimile/Copy

(Always "X" box 2 if filing signed Declaration and

"X" box 2A only if top box of the Declaration is X'd and file application copy, or

"X" box 2B only if none of the top three boxes of the Declaration is X'd.)

- 2A. ☐ Attached: Original signed Declaration with attached specification (including claim(s)) which is a copy of specification and claim(s) originally filed to secure the above filing date.
- 2B. ☐ The original application as filed in the PTO on the above filing date is the application which each inventor executed by signing the attached Rule 63 Declaration.

09/13/2004 HALI11 00000046 502212 10731411

05 FC:2254 740.00 DA

3. ☐ Specification originally filed in non-English language; hence verified translation attached of:

a. ☐ Abstract

b. #  pages of Specification(only spec. & claims)

c. ☐ Drawing(s)

No of Sheets

☐ Fig(s).

4. ☐ Letter filing formal drawing attached.
5. ☐ Attached is an assignment and cover sheet. Please return the recorded assignment to the undersigned.
6. **DOMESTIC/INTERNATIONAL** priority is claimed under 35 USC 119(e)/120/365(c) based on the following provisional, nonprovisional and/or PCT international application(s):

Application No.	Filing Date	Application No.	Filing Date
(1) 60/494,686	August 12, 2003	(2)	
(3)		(4)	
(5)		(6)	

7. **FOREIGN** priority is claimed under 35 USC 119(a)-(d)/365(b) based on filing in JAPAN

Application No.	Filing Date	Application No.	Filing Date
(1)		(2)	
(3)		(4)	
(5)		(6)	

Completion Under Rule 53(f)

8. \_\_\_\_\_ (No.) Certified copy (copies): ☐ attached; ☐ previously filed (date) \_\_\_\_\_  
in U.S. Application No. \_\_\_\_\_ / \_\_\_\_\_ filed on \_\_\_\_\_
9. Small Entity Status ☐ is Not claimed ☒ is claimed (file PAT-256 if this is the first claim of Small Entity Status)
10. ☒ Attached: Postcard Receipt
11. ☐ Please see the attached Preliminary Amendment which reduces the number of claims for purposes of reducing the initial filing fee.



**THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY  
CHANGED BY PRELIMINARY AMENDMENT PER ITEM 12 ABOVE**

				Large/Small Entity		Fee Code
12. Basic Filing Fee . . . . . Design Application				\$340/\$170		1002/2002
. . . . . Not Design Application				\$770/\$385	+385	1001/2001
13. Total Effective Claims	76	minus 20 =	56	x \$18/\$9	+504	1202/2202
14. Independent Claims	6	minus 3 =	3	x \$86/\$43	+129	1201/2201
15. If <u>any proper</u> multiple dependent claim (ignore improper) is present, (Leave this line blank if this is a reissue application)				\$290/\$145	+0	1203/2203
16. Surcharge for filing Declaration/filing fee late				\$130/\$65	+65	1051/2051
17. <b>FILING FEE =</b>					<b>\$1,083</b>	
18. <b>Original due date:</b> May 17, 2004						
19. Petition is hereby made to extend the <u>original</u> due date to				(1 mo)	\$110/\$55 =	1251/2251
cover the date this response is filed for which the requisite fee				(2mos)	\$420/\$210 =	1252/2252
is attached				(3mos)	\$950/\$475 =	1253/2253
				(4mos)	\$1,480/\$740 =	1254/2254
				(5mos)	\$2,010/\$1,005 =	1255/2255
20. If "non-English" box 3 is X'd, add Rule 17(k) processing fee . . . . .				\$130	+0	1053
21. If "assignment" box 5 is X'd, add recording fee. . . . .				\$40	+0	8021
22. Petition Fee for				\$130	+0	1808
23. <b>TOTAL FEE =</b>					<b>\$1,823</b>	

**PLEASE CHARGE  
OUR DEP. ACCT.**

**Our Deposit Account No. 50-2212**

Our Order No. 045007

0307218

C#

M#

**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This **CHARGE STATEMENT** does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

**Pillsbury Winthrop LLP  
Intellectual Property Group**

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By Atty: Donna O. Perdue, Ph.D.

Reg. No. 51,166

Sig: 

Fax: (858) 509-4010  
Tel: (858) 509-4093

**NOTE: File in duplicate with PTO receipt (PAT-103A) and attachments**